



February 5, 2026

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Verbal Proponent Testimony on SB 271  
Senate Committee on Public Health and Welfare

Chairwoman Gossage and members of the Committee:

Thank you for the opportunity to provide proponent testimony in support of SB 271, which makes technical fixes to the statute<sup>1</sup> related to the Children’s Health Insurance Program (CHIP), **including permanently fixing an unintended error that has affected eligibility for nearly 18 years that impacts kids’ access to health insurance coverage.**

### **What Is the Children’s Health Insurance Program (CHIP)?**

CHIP is a federal-state health insurance program that extends health insurance options beyond Medicaid to families in Kansas.<sup>2</sup> Many working Kansas families who struggle to afford health insurance for their children can qualify, depending on income levels, for CHIP coverage.

When kids have health coverage like CHIP, they can go to the doctor and dentist, receive routine immunizations, receive medication, get treatments and therapies as needed, and access hospital care. A lack of health care, especially in childhood, leads to lifelong chronic conditions, shorter life expectancy, increased lifetime medical costs, and sicker families. Healthy kids are more likely to enter school ready to learn, graduate high school, and become healthy, productive adults.

To qualify for CHIP, children must be in families that meet income guidelines, calculated using the federal poverty level (FPL) income guidelines. To understand what FPL can look like, 100% FPL in 2025 was \$32,150<sup>3</sup> for a family of four (the equivalent of one parent working 40 hours per week at just \$15.46/hour). For families who have higher income levels and still qualify for CHIP, they pay a sliding scale premium up to \$50/month for their children’s coverage.<sup>4</sup>

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<sup>1</sup> KSA 38-2001.

<sup>2</sup> Kansas Health Institute. (2024). *Kansas Medicaid: A Primer 2024*. <https://www.khi.org/wp-content/uploads/2024/01/Kansas-Medicaid-A-Primer-2024.pdf>

<sup>3</sup> U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. (2025). *2025 Poverty Guidelines: 48 Contiguous States (all states except Alaska and Hawaii)*. <https://aspe.hhs.gov/sites/default/files/documents/dd73d4f00d8a819d10b2fdb70d254f7b/detailed-guidelines-2025.pdf>

<sup>4</sup> KanCare. (July 2025). *Kansas Medical Assistance Standards*. <https://www.kancare.ks.gov/home/showpublisheddocument/4880/638878145464900000>

Kansas kids currently qualify for CHIP if their family's income is less than 250% federal poverty level (FPL), which in 2025 was \$80,375 for a family of four.<sup>5</sup> **As of November 2025, about 57,000 kids were enrolled in the CHIP program,<sup>6</sup> many located in the Sedgwick, Johnson, Wyandotte, and Shawnee counties.**

### **What Is the Unintended Error in the CHIP Statute?**

Unfortunately, up until 2022, an error in the CHIP eligibility income guidelines in statute previously prevented access to kids who should have qualified for CHIP. When the Legislature last updated the CHIP eligibility percentages in 2008 during the conference committee process, the year-specific language “2008 federal poverty income guidelines” was unintentionally included in the final bill that became law.<sup>7</sup> After the bill was enacted, the 2008 reference was never removed from statute.

No other state references a specific year for their CHIP eligibility percentage, and no other place in Kansas law that references federal poverty income guidelines references a specific year. **This “2008” year language in Kansas statute is an outlier and must be removed from statute, which SB 271 does.**

Because the 2008-year reference was included in statute, Kansas previously had to annually convert and reduce the CHIP eligibility threshold as the current federal poverty income guidelines increase each year. Due to the difference between federal and state eligibility levels, the Kansas Medicaid program had to annually submit a State Plan Amendment (SPA) to the Centers for Medicare and Medicaid Services (CMS) showing this converted percentage. In 2021, Kansas CHIP eligibility at 250% of the 2008 federal poverty income guidelines converted to 225% FPL.<sup>8</sup>

As you can see in the following table, conversion rates drastically changed across the last decade, with the 2013 percentage at 245% vs. the 2021 percentage at 225%. Subsequent years' converted percentages were expected to have declined even further due to higher-than-normal inflation.

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<sup>5</sup> U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. (2025). *2025 Poverty Guidelines: 48 Contiguous States (all states except Alaska and Hawaii)*. <https://aspe.hhs.gov/sites/default/files/documents/dd73d4f00d8a819d10b2fdb70d254f7b/detailed-guidelines-2025.pdf>

<sup>6</sup> KDHE. (January 14, 2026). 2026: Kansas Department of Health and Environment, presentation to the Senate Committee on Public Health and Welfare. [https://www.kslegislature.gov/li/b2025\\_26/committees/ctte\\_s\\_phw\\_1/misc\\_documents/download\\_testimony/ctte\\_s\\_phw\\_1\\_20260114\\_01\\_testimony.html](https://www.kslegislature.gov/li/b2025_26/committees/ctte_s_phw_1/misc_documents/download_testimony/ctte_s_phw_1_20260114_01_testimony.html)

<sup>7</sup> KSA 38-2001(b)(7).

<sup>8</sup> Kansas Health Institute. (2022). *Kansas Medicaid: A 2022 Primer*. [https://www.khi.org/wp-content/uploads/2022/01/2022\\_medicaid\\_primer\\_web.pdf](https://www.khi.org/wp-content/uploads/2022/01/2022_medicaid_primer_web.pdf)

Eroding Kansas CHIP Eligibility Levels Since 2013	
Year (Beginning April 1)	Upper Income Standard in Current Year FPL
2013	245%
2014	242%
2015	239%
2016	238%
2017	236%
2018	235%
2019	230%
2020	227%
2021	225%

Source: CMS. (2021). *Kansas State Plan Amendment SPA-21-003*.

### What Does SB 271 Do?

SB 271 removes the 2008-year reference in the CHIP statute, so this annual conversion no longer needs to happen, as well as removing 2009- and 2010-year references in the current statute that are no longer needed. Finally, the bill removes waiting period and lockout period clauses<sup>9</sup> that are out of alignment with federal regulations that became final in 2024.<sup>10</sup> This bill puts statute back in alignment with federal regulatory changes.

### A Temporary Fix in 2022-2025, but a Permanent Fix Is Still Needed

Beginning in 2022, KAC has annually advocated for a permanent fix to this error. Multiple bills<sup>11</sup> have been introduced that would address this issue so Kansas families are on an even playing field with every other state in the country so that Kansas children won't fall through the cracks – and lose health insurance coverage – if this issue is inadvertently omitted from the budget. However, those previous bills did not make it across the finish line.

Fortunately, starting in 2022, the Legislature has temporarily fixed this issue by adding an annual budget proviso, temporarily ignoring the “2008” year reference in Kansas law.<sup>12</sup> The

<sup>9</sup> KSA 38-2001(b)(8); K.S.A. 38-2001(e).

<sup>10</sup> Federal Register. (2024). *Medicaid Program; Streamlining the Medicaid, Children’s Health Insurance Program, and Basic Health Program Application, Eligibility Determination, Enrollment, and Renewal Processes*. <https://www.federalregister.gov/documents/2024/04/02/2024-06566/medicaid-program-streamlining-the-medicaid-childrens-health-insurance-program-and-basic-health>

<sup>11</sup> 2022 HB 2573 and SB 407; 2023 SB 45 and HB 2050. 2025 HB 2386 and SB 271.

<sup>12</sup> 2022 SB 267, Sec. 71(i), p. 81; 2023 HB 2184, Sec.86(g), p. 96; 2024 SB 28, Sec. 78(g), p. 96.; and 2025 SB 125, Sec. 85(g), p. 109.

latest FY 2026 budget bill, HB 2007, includes this annual proviso,<sup>13</sup> **but the best solution remains passing SB 271 to permanently address the needed technical fixes for CHIP eligibility.** Last year, the House originally passed Senate Sub. for SB 126 at a vote of 119-3. This bill included the identical version of SB 126, but the CHIP eligibility fix language was removed during conference committee to give the Senate more time for review in 2026.

Also, the Bob Bethell KanCare Oversight Committee's recent recommendations to the 2023, 2024, 2025, and 2026<sup>14</sup> Legislatures supported one or more of the pathways to resolving this issue.

For the last 27 years, CHIP has connected thousands of Kansas kids in working families to affordable insurance coverage so they are healthy and ready to learn, graduate high school, and become healthy, productive adults. **We urge this Committee to pass out SB 271 to permanently fix CHIP eligibility issues and get this issue across the finish line in 2026 for the 57,000 Kansas kids enrolled in CHIP – and the future eligible ones.**

If I can be of further assistance, please contact me at [heather@kac.org](mailto:heather@kac.org).

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### ***About Kansas Action for Children***

KAC is a nonprofit, nonpartisan advocacy organization working to make Kansas a place where every child has the opportunity to grow up healthy and thrive. KAC does not receive any funding from local, state, or federal government sources; however, we have a keen interest in the state budget because of its impact on children and families.

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<sup>13</sup> 2026 HB 2434 and SB 315, Sec. 68(g), p. 113.

<sup>14</sup> KLRD. (January 2025). *Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight Annual Report*. <https://klrd.gov/wp-content/uploads/2025/01/bethel-report-2024.pdf>